

The Wall Street Journal has apparently been given similar exclusive insight into a possible case. On April 6, 1998, the Wall Street Journal published an article entitled "U.S. Closes in on Microsoft; Officials Think Evidence Supports a Broad Charge on Extending Monopoly." In it, the author quotes "people close to the probe" who stated that "investigators believe they have enough evidence to bring a new antitrust case against Microsoft." Those sources are so familiar with the investigation that they told the reporter that an antitrust complaint would "repeat an existing charge that Microsoft violated a 1995 antitrust settlement . . . extending to Windows 98 last fall's charge that Microsoft uses Windows as a weapon against business rivals."

I regret to say this, and sincerely hope I turn out to be wrong, but I expect that the Justice Department will deny that one of its own lawyers is the source "close to the probe." I say "expect" because Attorney General Reno does not appear to be looking into this matter, nor has she informed me that the matter has been resolved. In fact, the Practising Law Institute has advertised that a senior Justice Department counsel would speak about "[the Antitrust Division position . . . on the ongoing Microsoft matter]" at an upcoming Intellectual Property Antitrust conference currently scheduled for July 22-23, 1998.

Mr. President, how does this public speaking engagement by a DOJ attorney square with the Department of Justice's own ethics manual, which states, and I quote again, "public out-of-court statements regarding investigations, indictments, ongoing litigation, and other activities should be minimal?" How does it square with the ethics policy that says, "public comment on . . . charges should be limited out of fairness to the rights of individuals and corporations and to minimize the possibility of prejudicial pre-trial publicity." I sincerely hope that DOJ staff has been advised against this by Attorney General Reno, but I cannot be sure.

Just yesterday, I learned that on May 8th, Business Week plans to publish on its website an article with the quote, "sources familiar with the Justice Department case have laid out a detailed plan of attack against [Microsoft]." Who would be able to lay out such a detailed plan about the Department's expected action in the case other than the DOJ itself?

It is of utmost importance that the Justice Department end this media trial of Microsoft, and restore a thorough and fair process. Today, I have again asked the Attorney General to explain her failure to resolve this matter.

Microsoft's innovations benefit thousands of companies, employees, shareholders and millions of consumers. With so much innovation and economic growth, and with so many jobs lying in the balance, the least the Department

of Justice can do if it proceeds with its investigation is to do so in a fair, professional and ethical manner.

Mr. President, I yield the floor.

IRS REFORM

Mr. LAUTENBERG. Mr. President, first just a brief commentary, if I might, to say that Senator ROTH and Senator KERREY did the country a wonderful service by the reform measure that was put through to try to assure the public that Congress listens, the Government listens, that people should be treated fairly at all times; that there is no excuse for rudeness and inappropriate pressure on those people who pay their taxes. They are the constituents and we are here to serve them. I commend both Senators, the managers on both sides, Senators ROTH and KERREY, for a job well done.

UNITED STATES-ISRAEL RELATIONS

Mr. LAUTENBERG. Mr. President, I rise to discuss a matter that is triggered by something I read in the newspaper this morning. I saw it in the Washington Post and I saw it in the New York Times, a statement that House Speaker GINGRICH made when he held a press conference in which he criticized the Clinton administration's handling of the peace process.

Now, he, like any one of us in the Congress, has a right to disagree with the administration on policy, but I think it is dangerous, destructive, certainly demagogic, to say that "America's strong-arm tactics would send a clear signal to the supporters of terrorism that their murderous actions are an effective tool in forcing concessions from Israel."

That is an outrageous statement to make because it accuses President Clinton. Further in his statement, and I quote him here:

Now it's become the Clinton administration and Arafat against Israel, Gingrich said at a Capitol news conference. He also released a letter he sent to President Clinton saying that "Israel must be able to decide her own security needs and set her own conditions for negotiations without facing coercion from the United States." As Israel celebrates its 50th anniversary, Speaker Gingrich said the Clinton administration says, "Happy birthday. Let us blackmail you on behalf of Arafat."

In his letter he gave the quote that I just read about America's strong-arm tactics, sending "a clear message that terrorism was an acceptable tool in forcing concessions from Israel."

Mr. President, I know Israel very well. I had the good fortune over a 3-year period to serve as chairman of the United Jewish Appeal. That is the fundraising arm that helps local institutions within the Jewish community, as well as Israel. This was over 20 years ago when Israel was getting on its feet. I know lots of people there. I know many people who have lost a son, lost

a daughter. I know many people who visit in the hospitals regularly where their children or their friends or their loved ones are in a condition that keeps them hospitalized because of wounds they received during the wars.

I was able to visit Israel within a couple of days after the 1973 war was concluded while they were still searching for bodies on both sides, Egypt and Israel, in the Sinai desert, and I talked to people who regret so much that they are forced at times to inflict pain on their neighbors to protect themselves.

The Israelis have lost some 20,000 soldiers in wars since that country was founded—50 years. That is a short period of time. In the whole of the 20th century, the United States will have lost less than 400,000 soldiers in combat. I was in Europe during the war. I served in the Army in World War II. Mr. President, 20,000 Israelis is the equivalent of 1 million soldiers, 1 million fighters lost in the United States on a comparative basis—1 million. Could you imagine the heartbreak in this country that would exist if we lost a million soldiers in a period of 50 years? It would tear us apart.

Mr. President, I make this point. I served here under President Reagan, I served here under President Bush, and I knew President Carter very well because I had tried to help them at times when I was running a company in the computer business. They have been good friends to Israel because Israel and the United States have many common interests—the strength of a democracy, the ability to withstand adversity and come up providing freedom at all times for their citizens. But there has never been a better friend in the White House among the four Presidents I just mentioned than President Clinton. President Clinton has approached Israel from the mind as well as the heart. He understands what the relationship of Israel to the civilized world, to the democratic world, means. And he insists that they be permitted to negotiate on their own.

But as the President and the administration and the State Department tried to permit the Israelis and the Palestinians to negotiate their own terms, we were called back; we were called in to act as a go-between. I don't even want to use the term "as a negotiator" because it is up to the parties to negotiate. But we have been called on to try to facilitate the negotiations. And that has been the mission.

And so, Mr. President, I think it is outrageous that President Clinton, that this administration be declared as someone alongside terrorists, encouraging Arafat, encouraging those who would destroy Israelis. It is an outrage, it is demagoguery at its worst, and I don't think that kind of debate ought to be used, whether it is to gain votes or whatever else one can gain from those kinds of statements. It doesn't further the cause of peace, and it doesn't help our friendship with any of the countries in the area. It is the wrong way to go.